



63

**BEFORE THE BOARD OF ADA COUNTY COMMISSIONERS**

IN THE MATTER OF THE PETITION OF )  
ID SOLAR 1, LLC SUBSTITUTED APPLICANT )  
FOR NICHOLSON PROPERTIES, L.P. )  
OF TERRITORY LOCATED IN ADA COUNTY )  
TO THE KUNA RURAL FIRE DISTRICT, )  
LOCATED IN ADA COUNTY, IDAHO )

**ORDER**

The Kuna Rural Fire District Board of Commissioners' Findings of Fact, Conclusions of Law and Order of Annexation (attached to this Order as Exhibit A) state that the Fire District Board of Commissioners took up the matter pursuant to the petition from Nicholson Properties, L.P. for annexation of its property into the Kuna Rural Fire District. According to the Description of Evidence on page 2 and information from the Hearings found at page 3 of the Findings, Nicholson Properties, L.P. sold the property to ID Solar 1, LLC and requested that ID Solar 1, LLC be substituted for Nicholson Properties, L.P. The Findings of Fact, (Section 2 of the Findings of Fact, Conclusions of Law and Order of Annexation, Exhibit A) notes that a notice of public hearing on the requested annexation was published on October 7, 2015 in the *Kuna Melba News*. Page 1 of the Findings of Fact, Conclusions of Law and Order of Annexation (Exhibit A) indicates a public hearing was held on October 14, 2015, was continued to November 11, 2015, was continued to December 9, 2015, was continued to January 13, 2016 and was continued until February 10, 2016. The Fire District Board of Commissioners' Secretary certified that the Findings of Fact and Conclusions of Law were adopted on February 10, 2016 and the Fire District Board of Commissioners ordered the annexation of the following described parcel into the Fire District pursuant to the provisions of § 31-1411, Idaho Code.

NOW, THEREFORE, IT IS HEREBY ORDERED, that the territory, hereinafter described, located within the County of Ada, Idaho, be and the same is hereby declared annexed to the Kuna Rural Fire District, Ada County, Idaho in accordance with the provisions of Idaho Code § 31-1411 and the boundaries of the territory annexed to said Kuna Rural Fire District be, and the same are hereby fixed as follows:

- *Parcel:*

A PARCEL OF PROPERTY LYING IN SECTION 11, TOWNSHIP 1 NORTH, RANGE 1 EAST, BOISE MERIDIAN, KUNA AND ADA COUNTY, IDAHO AND GENERALLY DESCRIBED AS: THE SOUTHWEST ONE-QUARTER OF SECTION 11, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 1 EAST, BOISE MERIDIAN; ALSO BEING THE REAL POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE N 0°40'10" E 2657.70 FEET ALONG THE WEST BOUNDARY OF THE SW 1/4 OF SECTION 11 TO A POINT MARKING THE NW CORNER OF THE SW 1/4 OF SECTION 11;

THENCE S 89°26'37" E 2631.83 FEET ALONG THE NORTH BOUNDARY OF THE SW 1/4 OF SECTION 11 TO A POINT MARKING THE NE CORNER OF THE SW 1/4 OF SECTION 11;

THENCE S 0°25'41" W 2653.01 FEET ALONG THE EAST BOUNDARY OF THE SW 1/4 OF SECTION 11 TO A POINT MARKING THE SE CORNER OF SW 1/4 OF SECTION 11;

THENCE N 89°32'43" W 2643.02 FEET ALONG THE SOUTH BOUNDARY OF THE SW 1/4 OF SECTION 11 TO A POINT MARKING THE SW CORNER OF THE SW 1/4 OF SECTION 11, ALSO THE POINT BEING THE REAL POINT OF BEGINNING OF THIS DESCRIPTION;

SAID PARCEL CONTAINS 160.774 ACRES MORE OR LESS. ✓

**IT IS FURTHER ORDERED** that a signed copy of this *Order* be transmitted to the Kuna Rural Fire District Board of Commissioners; that pursuant to Idaho Code § 63-215, a copy of this *Order*, which contains the legal description, and a map, which was provided by the Kuna Rural Fire District, be delivered to the in the Office of the County Recorder of Ada County for recording; and a copy of the aforementioned *Order* and map be delivered to the County Assessor of Ada County, for filing.

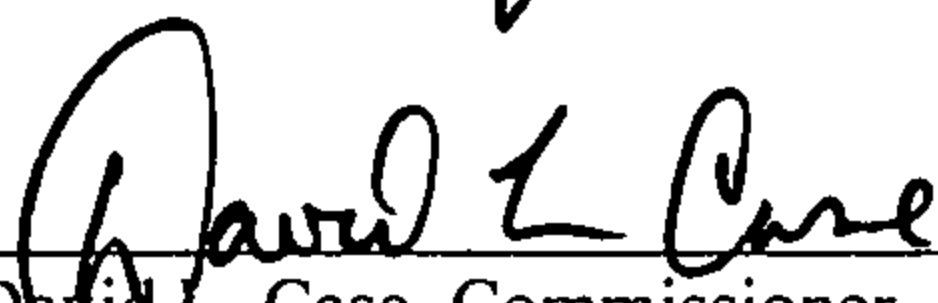
**IT IS FURTHER ORDERED** that, from and after the date hereof, the above-described territory shall be included within the boundaries of said Kuna Rural Fire District.

**DATED** this 5<sup>th</sup> day of April 2016.

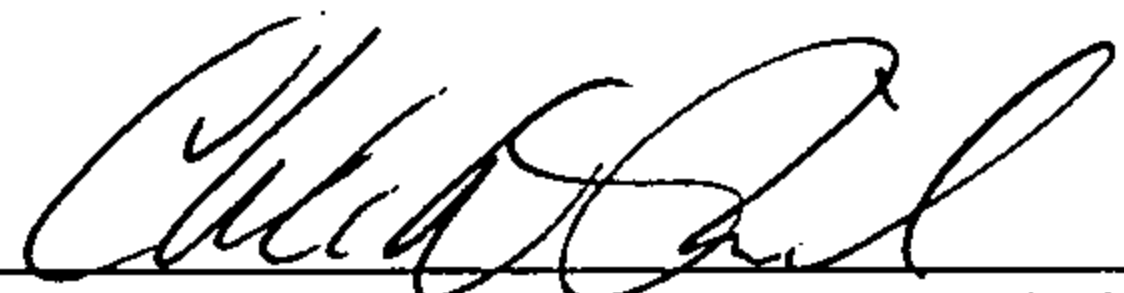
**Board of Ada County Commissioners**

By:   
Jim Tibbs, Commissioner

By:   
Rick Yzaguirre, Commissioner

By:   
David L. Case, Commissioner

ATTEST:

  
Christopher D. Rich, Ada County Clerk

**EXHIBIT A**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER OF ANNEXATION  
MAP OF KUNA FIRE DISTRICT  
MAP OF PARCEL S2111300000**

(10 pages – attached)

# EXHIBIT

## A

2/10/16

### THE BOARD OF COMMISSIONERS OF THE KUNA RURAL FIRE DISTRICT

\*\*\*\*\*

In the Matter of the Petition of	)	CASE NO. Annex 15 - <u>CA</u>
	)	
ID SOLAR 1, LLC	)	FINDINGS OF FACT,
SUBSTITUTED APPLICANT FOR	)	CONCLUSIONS OF LAW,
NICHOLSON PROPERTIES, L.P.	)	ORDER OF ANNEXATION
	)	
which Real Property is located on S. Cloverdale	)	
Road and is contiguous with property in the Fire	)	
District in Ada County, state of Idaho	)	
(160.774 acres)	)	

#### For annexation of real property to the Kuna Rural Fire District

The above entitled matter having originally come before the Board of Commissioners for public hearing on October 14, 2015 at 7:00 p.m. pursuant to the petition of **Nicholson Properties, L.P.**, a Idaho Limited Partnership, for annexation of its below described real property into the Kuna Rural Fire District.

On October 14, 2015 the hearing was opened at 7:00 p.m. for annexation of certain below described real property to the Kuna Rural Fire District, before the Board of Commissioners of the Kuna Rural Fire District and which hearing was continued to November 11, 2015 and which hearing was again continued to December 9, 2015 and which hearing was again continued to January 13, 2016 and which hearing was again continued to February 10, 2016.

The Board of Commissioners does hereby set forth the Record of the Proceedings, its Findings of Fact, Conclusions of Law and Order of Annexation, and wherever within this document a Finding of Fact is made which references a point of law or statute, the same shall also be considered a Conclusion of Law, all of which is set forth as follows:

#### SECTION 1 RECORD OF PROCEEDINGS

The record of the proceedings of the above-referenced matter consists of the following, to-wit:

## 1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		<i>Withdrawn</i>	<i>Refused</i>	<i>Admitted</i>
1	Petition for Annexation of Nicholson Property, L.P. Last dated August 26, 2015, including property deed			X
2	Property Location Map			
3	Ada County Assessor Records, Parcel, legal Description and Property maps			X
4	Affidavit of publication in <i>Kuna-Melba News</i> on October 7, 2015			X
5	letter dated December 8, 2015, from ID Solar 1, LLC, requesting that the Nicholson petition for annexation of the subject property be transferred into their name			X
6	Motion for Substitution of Party Petitioner for Annexation			X
7	Consent and Acceptance for Substitution of Party Petitioner for Annexation			X
8	Grant Deed to the Subject Real Property from Nicholson Properties, L.P. grantor and ID Solar 1, LLC, grantee dated October 26, 2015			X
9	Order Granting Motion for Substitution of Party Petitioner for Annexation			X

## 1.2 Witness Testimony

1.2.1 Those who testified at the October 14, 2015 hearing are as follows, to-wit:

1.2.1.1 Kuna Rural Fire District Staff:

- Secretary/ Officer of Administration,

1.2.1.2 Nicholson Properties, L.P., Petitioner agent:

- Carl V. Nicholson

1.2.2 Those who appeared at the November 11, 2015 continued hearing are as follows, to wit:

1.2.2.1 Kuna Rural Fire District Staff:

- Secretary/ Officer of Administration

1.2.3 Those who testified at the December 9, 2015 continued hearing are as follows, to wit:

1.2.3.1 Kuna Rural Fire District Staff:

- Secretary/ Officer of Administration Robin Ward reported that she and Chief Tillman had met with representatives of ID Solar 1, LLC, and Entropy in regards to the status of the solar project to be located on the subject property. They were informed that the property had been purchased by ID Solar 1, LLC, from the original petitioner. Robin Ward also presented a letter [Exhibit 5] dated December 8, 2015, from ID Solar 1, LLC, requesting that the Nicholson petition for annexation of the subject property be transferred into their name.

1.2.4 Those who testified at the January 13, 2016 continued hearing are as follows, to wit:

1.2.4.1 Kuna Rural Fire District Staff:

- Secretary/ Officer of Administration Robin Ward reported that she and Chief Tillman have attempted to contact Mr. Nicholson in order to get the consent to assign the petition of ID Solar 1, LLC and were advised he is moving at this time.

1.2.5 Those who testified at the February 10, 2016 continued hearing are as follows, to wit:

1.2.4.1 Kuna Rural Fire District Staff:

- Secretary/ Officer of Administration Robin Ward reported that the Petitioner Nicholson Properties L.P. had filed a Motion for the substitution of the Petitioner together with their consent to ID Solar 1, LLC together with a copy of the Grant Deed dated October 26, 2015 records with the Ada County Recorder's office as instrument no. 2015-098882 evidencing the conveyance of the subject property to ID Solar 1, LLC.

### 1.3 Judicial Notice

1.3.1 Judicial Notice was taken of the boundaries of the Kuna Rural Fire District and of the Kuna Rural Fire District Policy Code.

## SECTION 2 FINDINGS

### 2.1 Findings Regarding Notice

- 2.1.1 Notice Provided:** Notice of Hearing was published in one issue of the *Kuna Melba News*, the official newspaper of the Fire District, prior to the date of the first public hearing.

Newspaper	Date Published
<i>Kuna Melba News</i>	October 7, 2015

- 2.1.2 Notice Required:** Notice has been given in accordance with the Law as required by I.C. § 31-1411 and § 3.1.3 of the Kuna Rural Fire District Policy Code.
- 2.1.3** The Board of Commissioners granted, at the February 10, 2016 hearing of this matter, Nicholson Properties L.P.'s motion to substitute ID Solar 1, LLC as the Petitioner due to the transfer of the subject real property to ID Solar 1, LLC subsequent to the filing of their application for annexation herein; and
- 2.1.4** The Board of Commissioner find that the substitution of ID Solar 1, LLC, as the Petitioner for annexation, does not alter any of the factual issues associated with the merits of the Petition or the intended use of the subject real property and therefore find that there is no prejudice to the Fire District in this regard and therefore no need to republish notice of the hearing of this matter.

### 2.2 Findings Regarding the Real Property and Petitioner's Interest in the Real Property

- 2.2.1** The Real Property which is the Subject of the above referenced Petition for annexation into the Kuna Rural Fire District consists of one parcel equaling 160.774 acres more or less and is more particularly described as follows:

• **Parcel:**

A PARCEL OF PROPERTY BEING LYING IN SECTION 11, TOWNSHIP 1 NORTH, RANGE 1 EAST, BOISE MERIDIAN, KUNA AND ADA COUNTY, IDAHO AND GENERALLY DESCRIBED AS: THE SOUTHWEST ONE-QUARTER OF SECTION 11, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 1 EAST, BOISE MERIDIAN; ALSO BEING THE REAL POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE N 0°40'10" E 2657.70 FEET ALONG THE WEST BOUNDARY OF SAID SW ¼ TO A POINT MARKING THE NW CORNER OF THE SW ¼ OF SECTION 11;

THENCE S 89°26'37" E 2631.83 FEET ALONG THE NORTH BOUNDARY OF SW ¼ OF SECTION 11 TO A POINT MARKING THE NORTHEAST CORNER OF THE SAID SW ¼ OF SECTION 11;



THENCE S 0°25'41" W 2653.01 FEET ALONG THE EAST BOUNDARY OF SAID SW ¼ OF SECTION 11 TO A POINT MARKING THE SE CORNER OF SW ¼ OF SECTION 10;

THENCE N 89°32'43" W 2643.02 FEET ALONG THE SOUTH BOUNDARY OF SAID SW ¼ OF SECTION 11 TO A POINT MARKING THE SAID SOUTHWEST CORNER OF THE SW ¼ OF SECTION 11, ALSO SAID POINT BEING THE REAL POINT OF BEGINNING OF THIS DESCRIPTION;

SAID PARCEL CONTAINS 160.774 ACRES MORE OR LESS.

- 2.2.2 The Real Property, at the time the Application for annexation was filed, was owned by **Nicholson Properties, L.P.**, an Idaho Limited Partnership who was the Petitioner for Annexation and that subsequently, on the 26<sup>th</sup> day of October, 2015, Nicholson Properties, L.P. transferred and conveyed said Real Property to **ID Solar 1, LLC**, who is now the owners of said Real Property and properly designated as the substituted Petitioner in the above entitled matter for this annexation .
- 2.2.3 The Real Property is located within the County of Ada, State of Idaho.
- 2.2.4 The Real Property is contiguous to the external boundaries of the Kuna Rural Fire District.
- 2.2.5 The Real Property consists of One hundred Sixty and seven hundred seventy four/100s [160.774] contiguous acres.
- 2.2.6 No one appeared in opposition, and no one filed any written objection to the annexation of the Real Property.
- 2.2.7 The Real Property is not within an incorporated city nor is it within the boundaries of a Rural Fire District.
- 2.2.8 The Real Property is currently unimproved ground but the Petitioner intends to in conjunction with OrigisEnergy to build a solar farm.
- 2.2.9 The Officer of Administration of the Fire District Robin Ward offered testimony that the Real Property, which is the subject of this annexation, could be served by the Fire District personnel and equipment subject to the limitations posed by the distance between the existing station #1 and the location of the subject property. The Fire Chief stated that, given the fact there is no other fire district and/or city providing coverage to the subject property, and given the fact that the area is in need of fire protection and life preservation services, and considering annexations into this Fire District in the general vicinity and the likelihood that in the future there will be additional properties in close proximity to the subject real property for which annexation will be sought and considering the intended development of the subject real property by the Petitioner, it is in the best interests of the Fire District to annex the subject Real Property.

- 2.2.10 It is in the best interests of the Fire District and of the Real Property and its owners that the Real Property be annexed to the Fire District and included within its boundaries.

### SECTION 3 CONCLUSIONS OF LAW

- 3.1 Idaho Code § 31-1411 provides in the provisions therein relevant to this Petition as follows:

*After the organization of a fire district, additional contiguous or noncontiguous territory lying within the same county may be added thereto and shall thereupon and thenceforth be included in such district. Noncontiguous territory annexed to an existing fire district shall consist of not less than forty (40) contiguous acres. At least seventy-five percent (75%) or more of the owners or contract purchasers of the land sought to be annexed shall petition the fire board and request annexation of the territory particularly described in said petition. Upon receipt of any such petition the fire board shall hold a hearing not less than ten (10) nor more than thirty (30) days thereafter, or upon the written consent of the petitioner within one hundred eighty (180) days, and said board shall cause notice of such hearing, designating the time and place, to be published in at least one (1) issue of a newspaper of general circulation within the district. Any person supporting or objecting to such petition shall be heard at such hearing, if in attendance, and at the close of such hearing said board shall approve or reject said petition. If the board approves said petition it shall make an order to that effect and certify a copy of said order containing an accurate legal description of the annexed territory to the board of county commissioners of the county where said fire district is situated. Said board of county commissioners shall thereupon enter an order of annexation and cause the same to be recorded so as to include the annexed property on the tax rolls as in this chapter provided....*

- 3.2 Idaho Code § 63-215 (1) provides as follows:

*Any taxing district which shall be formed or organized hereafter, or which shall change any existing boundaries hereafter, shall cause one (1) copy of the legal description and map prepared in a draftsmanlike manner which shall plainly and clearly designate the boundaries of such district or municipality as formed or organized, or as altered, to be recorded with the county recorder and filed with the county assessor in the counties within which the unit is located and with the state tax commission within thirty (30) days following the effective date of such formation, organization or alteration but no later than the tenth day of January of the year following such formation, organization or alteration. In the case of fire protection districts, the board of county commissioners approving the boundaries shall be responsible for delivering to the assessor and recorder the map and legal description of the amended district boundaries. Formation, organization or alteration documents that are filed pursuant to this section shall include contact information that is current at the time of filing and that identifies an individual associated with the taxing district.*

**SECTION 4**  
**ORDER OF ANNEXATION OF REAL PROPERTY**

Based upon the above and foregoing Findings of Fact and Conclusions of Law, and good cause appearing from the record, the Board of Commissioners of the Kuna Rural Fire District **DOES HEREBY ORDER AND THIS DOES ORDER THAT:**

- 4.1 The petition of petitioner for annexation is hereby granted; and
- 4.2 The following described Real Property consisting of 160.774 acres be and the same is hereby annexed and included within the boundaries of the Kuna Rural Fire District:
  - *Parcel:*  
A PARCEL OF PROPERTY BEING LYING IN SECTION 11, TOWNSHIP 1 NORTH, RANGE 1 EAST, BOISE MERIDIAN, KUNA AND ADA COUNTY, IDAHO AND GENERALLY DESCRIBED AS: THE SOUTHWEST ONE-QUARTER OF SECTION 11, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
  
 COMMENCING AT THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 1 EAST, BOISE MERIDIAN; ALSO BEING THE REAL POINT OF BEGINNING OF THIS DESCRIPTION;  
  
 THENCE N 0°40'10" E 2657.70 FEET ALONG THE WEST BOUNDARY OF SAID SW ¼ TO A POINT MARKING THE NW CORNER OF THE SW ¼ OF SECTION 11;  
  
 THENCE S 89°26'37" E 2631.83 FEET ALONG THE NORTH BOUNDARY OF SW ¼ OF SECTION 11 TO A POINT MARKING THE NORTHEAST CORNER OF THE SAID SW ¼ OF SECTION 11;  
  
 THENCE S 0°25'41" W 2653.01 FEET ALONG THE EAST BOUNDARY OF SAID SW ¼ OF SECTION 11 TO A POINT MARKING THE SE CORNER OF SW ¼ OF SECTION 10;  
  
 THENCE N 89°32'43" W 2643.02 FEET ALONG THE SOUTH BOUNDARY OF SAID SW ¼ OF SECTION 11 TO A POINT MARKING THE SAID SOUTHWEST CORNER OF THE SW ¼ OF SECTION 11, ALSO SAID POINT BEING THE REAL POINT OF BEGINNING OF THIS DESCRIPTION;  
  
 SAID PARCEL CONTAINS 160.774 ACRES MORE OR LESS.
- 4.3 The Secretary of this District shall certify a true and correct copy of this order and shall then forthwith submit the same to the Board of County Commissioners of Ada County; and
- 4.4 This Commission does hereby request that the Board of Ada County Commissioners to enter an order of annexation of the said described real property into the Kuna Rural Fire District and cause said Order to be recorded so as to include said described annexed real property on the tax rolls as provided in Idaho Code §31-1411.
- 4.5 The Kuna Rural Fire District Secretary shall obtain one copy of the legal description of the herein described Real Property and map be prepared in a draftsman like manner and

which map shall plainly and clearly designate the boundaries of the Fire District as altered by this annexation and then submit the same to the Board of County Commissioners of Ada County together with a certified copy of this Order; and

- 4.6 Upon the Board of County Commissioners having entered an order of annexation of the Real Property to this Fire District, it is requested that the Board of Ada County Commissioners then deliver said legal description and map to the Ada County Assessor and Recorder and to the Idaho State Tax Commission within thirty (30) days of said Order in compliance with the provisions of I.C. § 63-215 (1).
- 4.7 The Secretary of this District shall file the original order in the official records of the Fire District and serve a true and correct copy of this order upon the Petitioner.

DATED this 10<sup>th</sup> day of February, 2016

M.G. Beatty, Jr.  
M.G. Beatty, Jr., Chairman/Commissioner Subdistrict No. 1

Vacant  
Vacant, Commissioner Subdistrict No.2

Mike Smith  
Mike Smith, Vice-Chairman/Commissioner Subdistrict No. 3

Hal Harris  
Hal Harris, Commissioner-Subdistrict No. 4

Debi Engelhardt-Vogel  
Debi Engelhardt-Vogel, Commissioner-Subdistrict No. 5

ATTEST:

Robin Ward  
Robin Ward, Secretary

#### CERTIFICATE OF MAILING

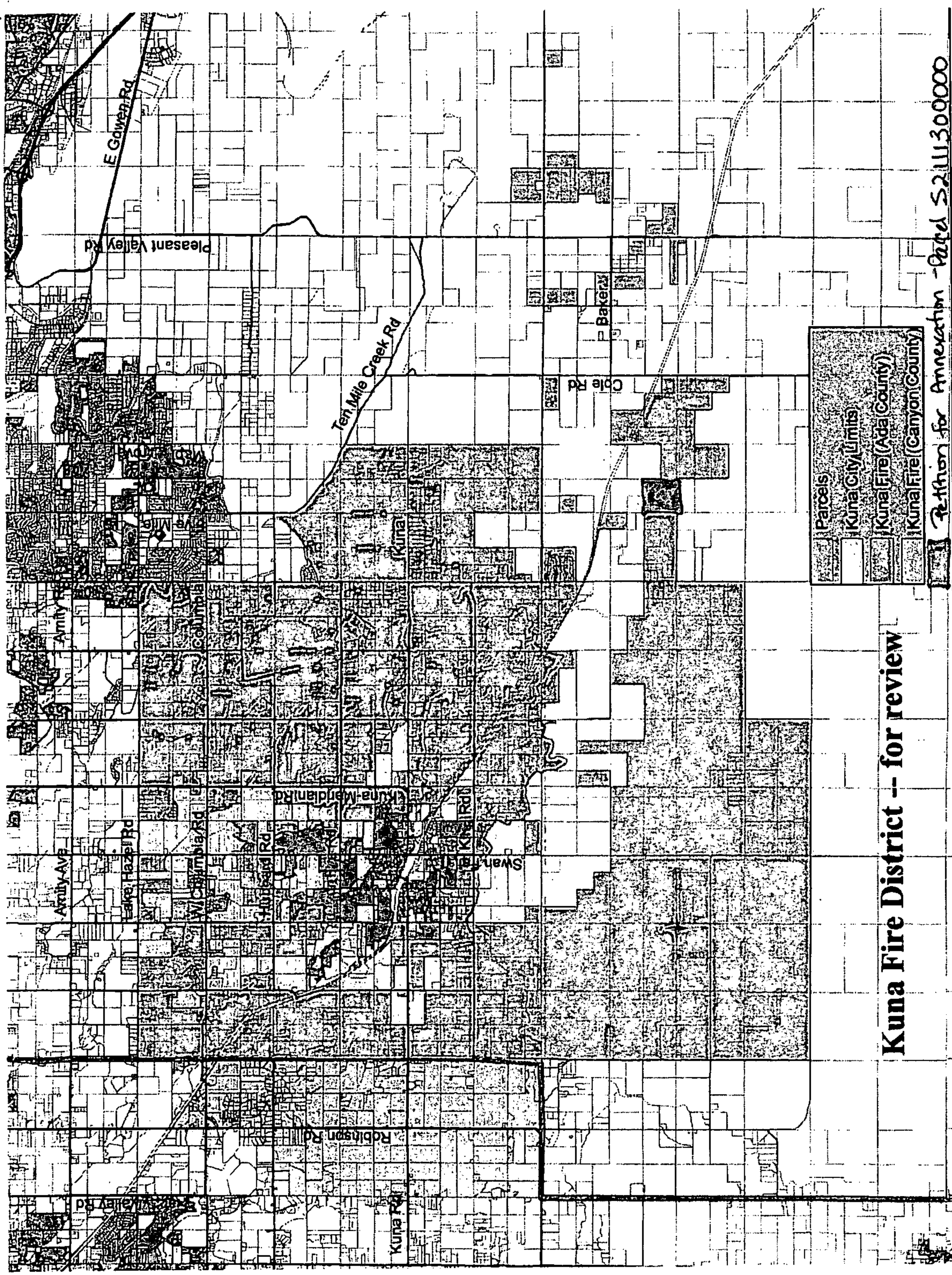
I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Order of Annexation was served by:

- ☒ United States mail, postage prepaid emailed  
☐ Facsimile transmission  
☐ Hand delivery

this 11<sup>th</sup> day of March, 2016, to:

Petitioner: ID Solar 1, LLC  
 Attention: Zack Bullock, Project Manager  
 14120 Ballantyne Corp Place, Suite #400  
 Charlotte, NC 28277

Robin Ward  
Robin Ward, Secretary  
 Kuna Rural Fire District



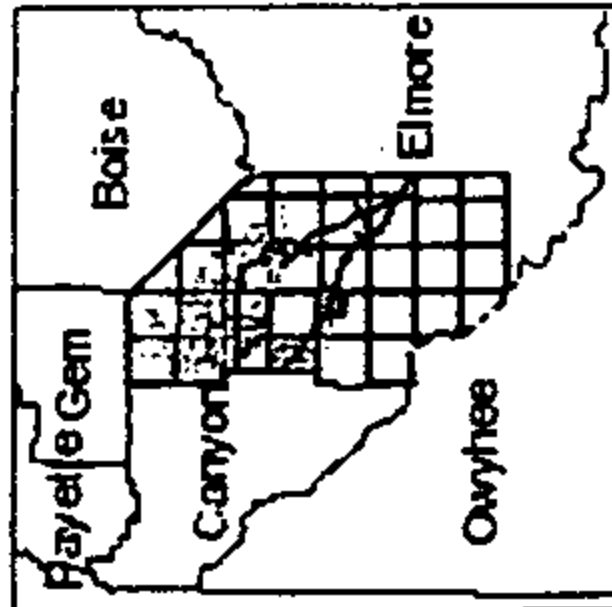
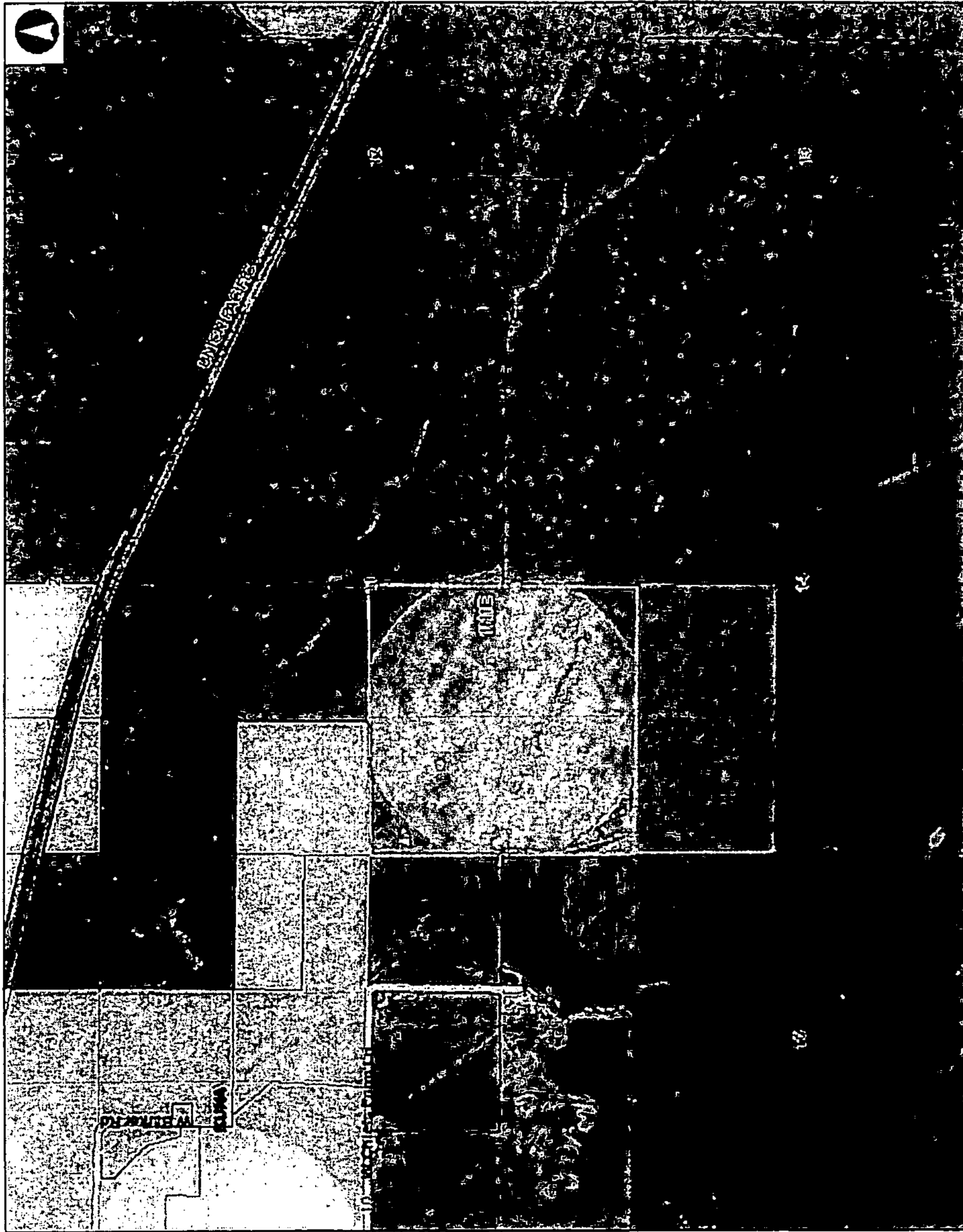
# Kuna Fire District -- for review

Ref: 52111300000

Parcel # S211300000

# Ada County Assessor

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.



## Legend

- +— Railroad
- Roads (\$8,000 - 24,000)
- <all other values>
- Interstate
- Ramp
- Principal Arterial
- Collector
- Minor Arterial
- Local
- Parks
- Alley
- Driveway
- Parks
- City Limits
- <all other values>
- BOISE
- EAGLE
- GARDEN CITY
- KUNA
- MERIDIAN
- STAR
- Townships
- Sections
- Condos
- Parcels

12/9/2015



**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE OPEN BUSINESS MEETING  
TUESDAY, APRIL 5, 2016  
9:00 A.M.**

The Board of Ada County Commissioners (Board) met this date in an Open Meeting in the Commissioners' Conference Room of the Ada County Courthouse Complex to act on the following items. Staff members present: Chris Rich, Kathleen Graves and Tim Sturges, Clerk's Office; Bob McQuade, Assessor's Office; Larry Maneely, Commissioners' Office; Kate McGwire, Public Information Officer; Bob Perkins, Procurement; Heather McCarthy, Prosecuting Attorney's Office; Bethany Calley and Yini Orebaugh, Human Resources; Bob Batista, Expo Idaho; Doug Hardman, Emergency Management; Minutes Recorder: Angel Dicus.

**I. IN THE MATTER OF CALL TO ORDER:**

Commissioner Jim Tibbs called the meeting of the Ada County Commissioners to order at 9:00 a.m.

**II. IN THE MATTER OF ROLL CALL:**

Commissioners Jim Tibbs, Rick Yzaguirre and David L. Case were present.

**III. CHANGES TO THE AGENDA:**

There were no changes to the agenda.

**IV. UNFINISHED BUSINESS:**

**ACTION: D. CASE MOVED TO REMOVE THE UNFINISHED BUSINESS FROM THE TABLE FOR CONSIDERATION. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

**1. Procurement**

- Award of RFP 16042 Auditing Services for Ada County CAFR (*Tabled from 3/22/16*)

B. Perkins presented the Evaluation Committee's recommendation for award. R. Yzaguirre read the recommendation into the record.

**ACTION: R. YZAGUIRRE MOVED TO ACCEPT THE RECOMMENDATION OF THE EVALUATION COMMITTEE AND AWARD RFP 16042 AUDITING SERVICES FOR ADA COUNTY CAFR, TO EIDE BAILLY, LLP IN THE AMOUNT OF \$84,857. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

**2. Agreements (*Authorize the Chairman to Sign the Appropriate Documents*)**

- Agreement No. 11571 - Agreement Between Ada County and ID Solar 1, LLC for Business Tax Exemption under Idaho Code Section 63-602NN (*Tabled from 3/22/16*)

J. Tibbs explained this agreement was tabled to March 29, 2016 but due to clerical error is being considered today.

**ACTION: D. CASE MOVED TO APPROVE AGREEMENT NO. 11571 AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

**V. NEW BUSINESS:**

**1. Resolutions (2)**

- a. Resolution No. 2129 - Resolution Adjusting the Ada County Budget to Reflect the Receipt of Unscheduled Revenue to the Clerk of the Court's Budget

J. Tibbs opened the public hearing and read Resolution No. 2129 into the record.

C. Rich stated he was excited to receive the money from the State and credited P. McGrane for his work.

J. Tibbs closed the public hearing.

**ACTION: R. YZAGUIRRE MOVED TO APPROVE RESOLUTION NO. 2129 AS LISTED ON THE AGENDA. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

- b. Resolution No. 2130 - Resolution for the Destruction of Ada County Clerk Election Records

J. Tibbs opened the public hearing.

C. Rich read Resolution No. 2130 into the record and explained the old election records have passed the time to be destroyed.

J. Tibbs closed the public hearing.

**ACTION: D. CASE MOVED TO APPROVE RESOLUTION NO. 2130 AS LISTED ON THE AGENDA. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

2. Ordinances

- Ordinance No. 854 - Ordinance Amending the Ada County Code Title 2 to Add a New Chapter 6 Entitled Expo Idaho Facilities

J. Tibbs opened the public hearing.

R. Yzaguirre read the summary of Ordinance No. 854 into the record.

C. Rich commended B. Batista for making the changes.

B. Batista explained the changes came about when Expo Idaho separated from recreational services.

J. Tibbs closed the public hearing.

**ACTION: R. YZAGUIRRE MOVED TO APPROVE ORDINANCE NO. 854 AS LISTED ON THE AGENDA. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

3. Fire Protection Annexation into Kuna Rural Fire District

- Approval of Annexation of ID Solar 1, LLC into the Kuna Rural Fire District

J. Tibbs opened the public hearing and inquired if there was anything to be read into the record.

A. Dicus provided a copy of the annexation order.

J. Tibbs stated the order was available for review at the Clerk's office.

*[There was no public testimony.]*

J. Tibbs closed the public hearing.

**ACTION: D. CASE MOVED TO APPROVE THE ORDER OF ANNEXATION OF ID SOLAR 1, LLC INTO THE KUNA RURAL FIRE DISTRICT AS LISTED ON THE AGENDA. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**



4. Licenses (*Authorize the Chairman to Sign*)

## a. License Transfers (4)

1. Great Wall Meridian, 2590 N. Eagle Road, Meridian, Beer/Wine
2. Meriwether Cider Company, 5242 Chinden Blvd., Garden City, Beer/Wine
3. Albertsons, 700 E. Avalon Street, Kuna, Beer/Wine
4. Albertsons, 10565 Lake Hazel Road, Boise, Beer/Wine

## b. License Renewals (77)

1. St. Luke's Regional Medical Center, 190 E. Bannock, Boise, Beer/Wine
2. St. Luke's Regional Medical Center, 520 S. Eagle Rd., Meridian, Beer/Wine
3. Pizza Hut # 2145, 818 Ann Morrison Park Dr., Boise, Beer/Wine
4. Pizza Hut # 2146, 6871 Overland Rd., Boise, Beer/Wine
5. Pizza Hut # 2148, 10659 Fairview Ave., Boise, Beer/Wine
6. Pizza Hut # 2149, 2300 S. Apple St., Boise, Beer/Wine
7. Pizza Hut # 2150, 2450 S. Vista Ave., Boise, Beer/Wine
8. Pizza Hut # 2156, 398 S. Eagle Rd., Eagle, Beer/Wine
9. Pizza Hut # 2163, 271 N. Avenue D, Kuna, Beer/Wine
10. Pizza Hut # 2165, 675 S. Progress, Meridian, Beer/Wine
11. Pizza Hut # 2166, 1752 W. Cherry Lane, Meridian, Beer/Wine
12. Rice Contemporary Asian Cuisine, 228 E. Plaza St., Ste. Q & R, Eagle, Beer/Liquor
13. Idaho Shakespeare Festival, 5657 Warm Springs Ave., Boise, Beer/Wine
14. Smoky Mountain Pizzeria Grill, 980 E. Fairview Avenue, Meridian, Beer/Liquor
15. Sushi Joy Asian Cuisine, 2275 W. Main Street, Boise, Beer/Wine
16. Weekend BBQ Store, 102 N. 6<sup>th</sup> Street, Boise, Beer/Wine
17. Bacon/Berryhill, 121 N. 9<sup>th</sup> Street, Suite 102, Boise, Beer/Liquor
18. 10 Barrel Brewing Co, 826 W. Bannock, Boise, Beer/Liquor
19. Joe's Crab Shack, 2288 N. Garden Street, Boise, Beer/Liquor
20. Casa Mexico, 393 W. State Street, Suite A, Eagle, Beer/Liquor
21. Westside Pizza, 11200 Hercules Drive, Star, Beer/Wine
22. Crickets, 1228 Oakland Avenue, Boise, Beer/Liquor
23. Powderhaus Brewing Company, 9719 W. Chinden Blvd., Garden City, Beer/Wine
24. Great Wall Meridian, 2590 N. Eagle Road, Meridian, Beer/Wine
25. Eurest Dining Services, 11311 Chinden Avenue, Boise, Beer/Wine
26. Corona Village, 21 E. Fairview Avenue, Meridian, Beer/Liquor
27. Texaco, 3205 Vista Avenue, Boise, Beer/Wine
28. Hilltop Station, 12342 E. Hwy 21, Boise, Beer/Wine
29. Hilltop Trading Co, 12342 E Hwy 21, Suite B, Boise, Beer/Wine
30. Cloud Nine Brewery, 1750 W. State Street, Boise, Beer/Wine
31. Wild West Bakery & Espresso, 83 E. State Street, Eagle, Beer/Wine
32. Tobacco Connection #4, 725 S. Vista Avenue, Boise, Beer/Wine
33. Tobacco Connection #5, 2050 State Street, Boise, Beer/Wine
34. Tobacco Connection #7, 4124 Chinden Blvd., Garden City, Beer/Wine
35. Tobacco Connection #13, 1899 W. Boise Avenue, Boise, Beer/Wine
36. Tobacco Connection #21, 10356 Fairview Avenue, Boise, Beer/Wine
37. Tobacco Connection #25, 450 S. Meridian Rd., #25, Meridian, Beer/Wine
38. Tobacco Connection #27, 6890 W. State Street, Boise, Beer/Wine
39. Big Smoke #122, 6898 W. Fairview Avenue, Boise, Beer/Wine
40. Big Smoke #106, 234 W. Franklin, Meridian, Beer/Wine
41. Big Smoke #107, 6595 W. Ustick, Boise, Beer/Wine
42. Big Smoke #126, 10527 Overland Road, Boise, Beer/Wine
43. Big Smoke #108, 2127 Broadway Avenue, Boise, Beer/Wine
44. Big Smoke #114, 3826 W. State Street, Boise, Beer/Wine
45. Big Smoke #134, 1031 E. Kuna Road, Suite 150, Kuna, Beer/Wine
46. Big Smoke #128, 3107 W. Overland Road, Boise, Beer/Wine
47. Big Smoke #129, 6627 W. Overland Road, Boise, Beer/Wine
48. Big Smoke #105, 4920 Emerald Street, Boise, Beer/Wine
49. Big Smoke #104, 9225 Chinden Blvd. Suite A, Garden City, Beer/Wine
50. Fresh Off the Hook, 405 S. 8<sup>th</sup> Street, Boise, Beer/Wine
51. Black Dog Clays, 7680 W. Vallejo Road, Boise, Beer/Wine
52. The Hula Hut, 6600 Cartwright Road, Boise, Beer/Wine
53. The Hula Hut, 4623 Willow Lane, Boise, Beer/Wine
54. Chiang Mai House, 4898 Emerald Street, Boise, Beer/Wine
55. Crane Creek Country Club, 500 W. Curling Drive, Boise, Beer/Liquor
56. Three Girls Catering, 3210 E. Chinden Blvd., Ste. 131, Eagle, Beer/Wine
57. Stagecoach Inn, 3132 Chinden Blvd., Garden City, Beer/Liquor
58. Big Daddy's BBQ, 1551 W. Cherry Ln., # 102, Meridian, Beer/Wine
59. Springhill Suites by Marriott, 6325 N. Cloverdale Rd., Boise, Beer/Wine
60. Sakana Sushi Bar & Grill, 925 S. Vista Ave., Boise, Beer/Wine

61. Sakana Sushi Bar & Grill, 7107 W. State St., Garden City, Beer/Wine
62. Torch Lounge, 1826 Main Street, Boise, Beer/Liquor
63. Jim's Alibi, 2710 Broadway Avenue, Boise, Beer/Liquor
64. The Torch 2, 610 S. Vista Avenue, Boise, Beer/Liquor
65. Tango's Subs & Empanadas, 701 N. Orchard Street, Boise, Beer
66. The Bench, 924 S. Vista Avenue, Boise, Beer/Liquor
67. The Cheesecake Factory, 330 N. Milwaukee, Boise, Beer/Liquor
68. Bo-Ex, 4846 Emerald, Boise, Beer/Wine
69. Bodacious Pig Barbecue, 34 E. State Street, Eagle, Beer/Wine
70. The Busted Shovel, 704 N. Main Street, Meridian, Beer/Liquor
71. North End Chevron, 1470 W. State Street, Boise, Beer/Wine
72. Longhorn Lounge, 458 W. 3<sup>rd</sup> Street, Kuna, Beer/Liquor
73. Goodwood Barbecue Company, 1140 N. Eagle Road, Meridian, Beer/Liquor
74. Goodwood Barbecue Company, 7849 W. Spectrum, Boise, Beer/Liquor
75. Choice Cuts, 12570 W. Fairview Avenue #101, Boise, Beer/Wine
76. Terry's State Street Saloon, 3301 Collister Avenue, Boise, Beer/Liquor
77. Courtyard by Marriott, 1789 South Eagle Road, Meridian, Beer/Liquor

C. Rich stated that the required fees were paid and the paperwork was in order and awaiting signature.

**ACTION:** R. YZAGUIRRE MOVED TO APPROVE THE LICENSES AS LISTED ON THE AGENDA INCLUDING 4 LICENSE TRANSFERS AND 77 LICENSE RENEWALS; AND AUTHORIZE THE CHAIRMAN TO ELECTRONICALLY SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

5. Auditor's Office

- Chase/Paymentech Addendum establishing Authorized Representative (Corrected)

K. Graves explained this item is part of the Odyssey agreement and the merchant identifications (MIDS).

**ACTION:** D. CASE MOVED TO APPROVE THE CORRECTIONS ON THE MIDS AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

C. Rich stated his office mailed out ballots for the Primary Election on May 17, 2016, and provided an update on Odyssey.

6. Claims Journal

- March 30, 2016

**ACTION:** R. YZAGUIRRE MOVED TO AUTHORIZE PAYMENT OF CLAIMS ON THE CLAIMS JOURNAL DATED MARCH 30, 2016. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

7. Personnel Action Forms (12 Conditional Pay Increases; 13 Introductory Period Completion Pay Increases; 4 Leaves with Pay; 4 Miscellaneous; 4 Promotions; 1 Reclassification; 18 Salary Increases and 2 Step Increases/Sheriff's Pay Plan)

**ACTION:** D. CASE MOVED TO APPROVE THE PERSONNEL ACTION FORMS AS LISTED ON THE AGENDA INCLUDING 12 CONDITIONAL PAY INCREASES; 13 INTRODUCTORY PERIOD COMPLETION PAY INCREASES; 4 LEAVES WITH PAY; 4 MISCELLANEOUS; 4 PROMOTIONS; 1 RECLASSIFICATION; 18 SALARY INCREASES AND 2 STEP INCREASES/SHERIFF'S PAY PLAN; AND THAT THE SUMMARY SHEET REMAIN ON FILE IN THE COMMISSIONERS' OFFICE. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

## 8. Assessor's Office

B. McQuade stated his office will sign up applicants for the property tax reduction program through April 15, 2016.

The parties discussed the public information announcement.

## 9. Larry Maneely

L. Maneely provided an update on a homeless youth project and the County Open House.

10. Approval of Minutes (3) (*Authorize the Chairman to Sign*)

- a. Open Business Meeting, March 15, 2016
- b. General Session of the Indigent Hearings, March 16, 2016
- c. Executive Session of the Indigent Hearings, March 16, 2016

**ACTION:** R. YZAGUIRRE MOVED TO APPROVE THE MINUTES AS IDENTIFIED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO ELECTRONICALLY SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

11. Grants (*Authorize the Chairman to Sign*)

- Grant No. 1605-A - Additional Certifications to be included with application submission (approved on 3/22/16)

**ACTION:** D. CASE MOVED TO APPROVE THE ADDITIONAL CERTIFICATIONS FOR GRANT NO. 1605-A; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

12. Expo Idaho (*Authorize the Chairman to Sign*)

- Interim Events (2)
  - 1. Idaho Deer Alliance, Banquet, April 9, 2016
  - 2. Lizard Butte Kennel Club, Treasure Valley Dog Show, October 13-16, 2016 (Set Up October 11-12, 2016)

**ACTION:** R. YZAGUIRRE MOVED TO APPROVE THE TWO INTERIM EVENT AGREEMENTS AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

13. Parks and Waterways (*Authorize the Chairman to Sign*)

- Barber Park Education and Event Center (2)
  - 1. Colliers International, Business Meeting, June 16, 2016
  - 2. Lauren Chasin, Chasin Bat Mitzvah, November 12, 2016

**ACTION:** D. CASE MOVED TO APPROVE THE TWO BARBER PARK EDUCATION AND EVENT CENTER AGREEMENTS AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

14. Agreements (22) (All Agreements FY16 Unless Otherwise Noted) (*Authorize the Chairman to Sign the Appropriate Documents*)

- a. Agreement No. 11591 - Agreement Between Ada County and Oregon Department of Public Safety Standards and Training for the 2016 High Intensity Drug Trafficking Area Grant
- b. Agreement No. 11592 - Agreement Between Ada County and Land Solutions, Land Surveying and Consulting, PC for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- c. Agreement No. 11593 - Agreement Between Ada County and SeedIdaho, PC for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000

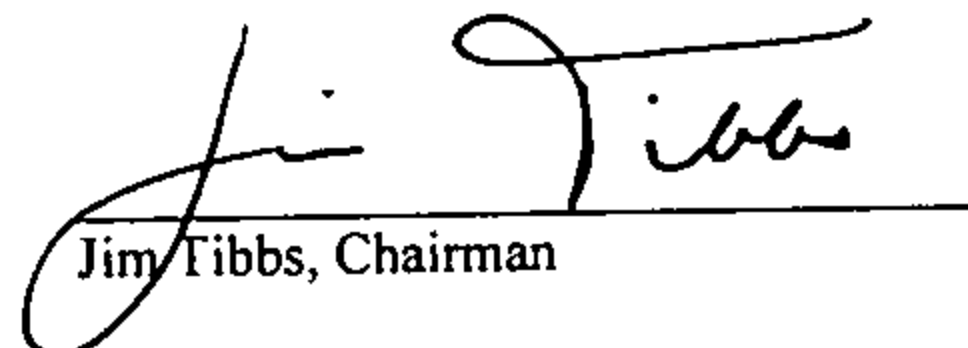
- d. Agreement No. 11594 - Agreement Between Ada County and Accurate Surveying & Mapping, PC for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- e. Agreement No. 11595 - Agreement Between Ada County and Deer and Ault Consultants, Inc. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- f. Agreement No. 11596 - Agreement Between Ada County and Fox Land Surveys, Inc. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- g. Agreement No. 11597 - Agreement Between Ada County and Insight Architects, P.A. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- h. Agreement No. 11598 - Agreement Between Ada County and Stapley Engineering, P.A. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- i. Agreement No. 11599 - Agreement Between Ada County and Eidam and Associates, Ltd. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- j. Agreement No. 11600 - Agreement Between Ada County and Materials Testing and Inspection, Inc. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- k. Agreement No. 11601 - Professional Services Agreement Between Ada County and ManpowerGroup Public Sector, Inc. for Consulting Services for Information Technology
- l. Agreement No. 11602 - Agreement Between Ada County and Chase Paymentech for Credit/Debit Payment Services at the Clerk's Office
- m. Agreement No. 11603 - Agreement Between Ada County and Zeller Recreation Inc. for Raft, Tube, Kayak and Bus Services at Barber Park
- n. Agreement No. 11604 - Agreement Between Ada County and AHJ Engineers, P.C. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- o. Agreement No. 11605 - Agreement Between Ada County and Musgrove Engineering, P.A. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- p. Agreement No. 11606 - Agreement Between Ada County and Riedesel Engineering, Inc. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- q. Agreement No. 11607 - Agreement Between Ada County and Water, Civil and Environmental, Inc. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- r. Agreement No. 11608 - Agreement Between Ada County and Breckon Land Design, Inc. for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- s. Agreement No. 11609 - Agreement Between Ada County and Clarke Mosquito Control Products, Inc. for Purchase of Products
- t. Agreement No. 11610 - Non-Exclusive License Agreement Between Ada County and Big Think, Inc. for Big Think Knowledge Platform for the Clerk's Office
- u. Agreement No. 11611 - Agreement Between Ada County and Idaho Survey Group, PC for Professional Consulting Services on Projects with Fees Not Exceeding \$25,000
- v. Agreement No. 10878-1-16 - Amended Joint Powers Agreement Between Ada County, Ada County Highway District, City of Boise, Eagle, Garden City, Kuna, Meridian and Star

J. Tibbs read the agreement numbers into the record.

**ACTION:** R. YZAGUIRRE MOVED TO APPROVE THE 22 AGREEMENTS AS LISTED ON THE AGENDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

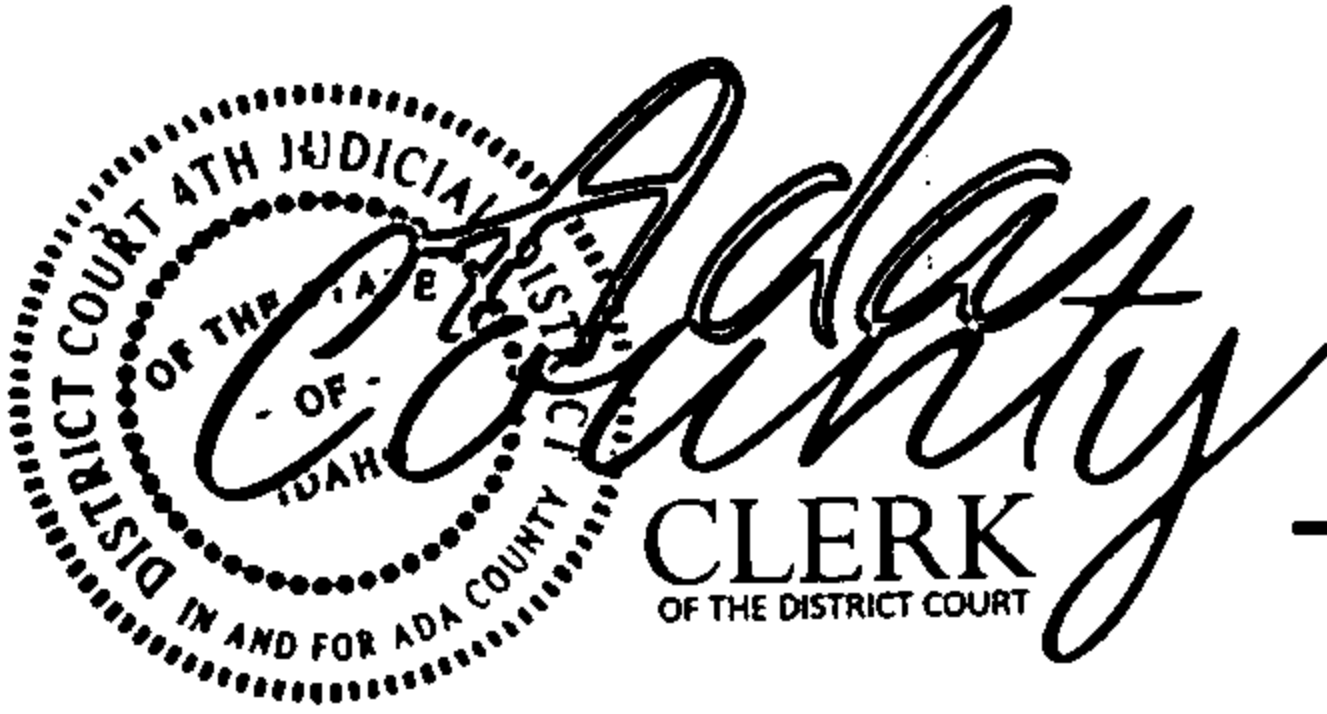
**VI. IN THE MATTER OF RECESS:**

There being no further business to come before the Board at this time, the meeting was recessed at 9:24 a.m.

  
Jim Tibbs, Chairman

ATTEST:

  
Christopher D. Rich, Ada County Clerk



Christopher D. Rich  
Clerk of the District Court

Phil McGrane  
Chief Deputy

200 W Front Street, Boise, Idaho 83702

Phone (208) 287-6879

Fax (208) 287-6909

May 5, 2016

Idaho State Tax Commission  
Attn: Jeff Servatius, GIS Manager  
Technical Support Bureau  
800 Park Blvd., Plaza IV  
Boise ID 83722

Dear Jeff:

Find attached a copy of an order by the Ada County Commission for annexation to the Kuna Rural Fire District. The Commissioners entered the order on April 5, 2016 with minutes of the meeting for the permanent record.

The appropriate paper documentation is included with this request.

Please contact me if you have any questions or comments.

Sincerely,

Christopher D. Rich  
Clerk to the Board of Ada County Commissioners

  
By Brad Vanderpool, Deputy Clerk

Court  
Ph (208) 287-6900  
Fax (208) 287-6919

Auditor  
Ph (208) 287-6879  
Fax (208) 287-6909

Recorder  
Ph (208) 287-6840  
Fax (208) 287-6849

Elections  
Ph (208) 287-6860  
Fax (208) 287-6939

Indigent Services  
Ph (208) 287-7960  
Fax (208) 287-7969